Inventor(s): BADLEY ET AL
Appln. No.: 09 | 554,956
Series Code | Serial No.
Filed: July 11, 2000

Group Art: 1641
Examiner: Gabel
Atty. Dkt. P 270584 | C372.0//U
M# | Client Ref
Appln. Title. IMPROVEMENTS IN OR RELATING TO DISPLACEMENT ASSAYS

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Date: December 3, 2001 - RESPONSE UNDER 37 CFR 1.116 - EXPEDITED PROCEDURE

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim
A ☒ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D ☐ made previously
For B & C See Required Separate Paper (Pat-256)

	Claims remaining after amendment	Highest number previously paid for		Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		**minus	0	0	x $18/$9 =	+ $0	103/203
3. Independent Claims		***minus	0	0	x $84/$42 =	+ $0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)					add + $280/$140 =	+ $0	104/204
5. Original due Date: October 3, 2001	☐ NONE						
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached				(1 mo) $110/$55 = (2 mos) $400/$200 = (3 mos) $920/$460 = (Usable only for ≤ 2mo.OA - - - 4 mos) $1,440/$720= (Usable only for 30 day/1mo.OA - - - 5 mos) $1,960/$980=	+ $400		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract					- $0		
8					Extension Fee Attached	+ $400	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee					+ $110/$55	+ $0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), add					+ $180	+ $0	126
or if Rule 97(d) Request add					+ $180		126
11. After-Final Request Fee per rules 129(a) and 17(r)					+ $740/370	+ $0	146/246
12 No of additional inventions for examination per Rule 129(b)					x $740/370 ea	+ $0	149/249
13 Request for Continued Examination (RCE)					+ $740/370	+ $0	1179/1279
14. Petition fee for						+ $0	
15					TOTAL FEE ENCLOSED =	$400	

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0"
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space

Our Deposit Account No 03-3975)
(Our Order No 60113 | 270584
C# | M#

CHARGE STATEMENT. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiences only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query. Is appeal deadline now? If so, file Notice of Appeal separately.

Pillsbury Winthrop LLP
Intellectual Property Group
By Atty: Paul N Kokulis Reg. No 16773
Sig: _____
Fax: (703) 905-2500
Tel: (703) 905-2118

1600 Tysons Boulevard
McLean, VA 22102
Tel: (703) 905-2000

Atty/Sec: PNK/MAH

Document6

IN THE U[redacted] STATES PATENT AND TRA[redacted]RK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT APPLICATION

In re PATENT APPLICATION of
Inventor(s): BADLEY ET AL
Appln No.: 09 (Series Code ↑) | 554,956 (Serial No. ↑)
Filed: July 11, 2000
Title: IMPROVEMENTS IN OR RELATING TO DISPLACEMENT ASSAYS

Group Art Unit: 1641
Examiner: Gabel
Atty. Dkt. P 270584 (M#) | C 372 07/U (Client Ref)

Date: December 3, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir

1. ☒ **NOTICE OF APPEAL**: Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated July 3, 2001 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months)
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer – unextendable).
5. ☐ "Small entity" statement filed ☐ herewith ☐ previously
6. ☐ Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. **FEE CALCULATION**

			Large/Small Entity		Fee Code
If box 1 above is X'd, ... enter			$320/160	$320	119/219
If box 2 above is X'd, ... enter			$320/160	$0	120/220
If box 3 above is X'd, ... enter			$280/140	$0	121/221
If box 4 above is X'd, ... enter nothing			- 0 - (no fee)		
8. Original due date: October 3, 2001					
9 Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo)	$110/$55			115/215
	(2 mos)	$400/$200			116/216
	(3 mos)	$920/$460			117/217
	(4 mos)	$1,440/$720			118/218
	(Usable only if box 2 is X'd— 5 mos)	$1,960/$980	+$400		128/228
10. Enter any previous extension fee paid ☐ previously since above Original due date (item 8); ☒ with concurrently filed amendment.			-$400		
11 **Subtract line 9 from line 8 and enter: Total Extension Fee**				+$0	
12. **TOTAL FEE ATTACHED =**				$320	

(Our Deposit Account No 03-3975)
(Our Order No. 60113 (C#) | 270584 (M#))

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

1600 Tysons Boulevard
McLean, VA 22102
Tel (703) 905-2000

By: Atty: **Paul N. Kokulis** Reg. No. **16773**

Sig: _____

Fax: (703) 905-2500
Tel: **(703) 905-2118**

Atty/Sec PNK/MAH

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

RECEIPT FROM PTO FOR INDICATED ITEMS

(Do NOT Use for New or Continuing Applications of Any Kind)
Use 2 postcards for all New Applns. (cont/Div/CIP. too)
Use this sheet when filing CPA

Appln. No: 09/554,956	Atty: Paul N. Kokulis
First Inventor: BADLEY	Date: December 3, 2001
	Matter No: 270584
	Client No: 60113

ENCLOSED:

☒ Response/Amendment ☒ Appendix ☒ Cover Sheet ☐ Cited/Listed Documents

☐ Completion Request for R 53(f)/PCT Nat

No of Pages Abstract

No. of Pages Spec and Claims

No of Numbered Claims Only

No. of Sheets of Drawings (Figs ☐)

☐ 1 Set Formal ☐ 1 Set Informal ☐ Cover Letter

☐ Declaration ☐ # of pages

☐ Assignment ☐ Cover Sheet

☐ Small Entity Declaration

☐ Extension Petition (PAT-111)

☐ No. of Priority Documents

☐ IDS Letter ☐ Cited Appln(s) ☐ Foreign Sch Rep/OA

☐ PTO-1449 ☐ Cited Documents

☐ Issue Fee Transmittal Form PTOL-85(b) + (c)

$ 720.00 Fee (Check)

OTHER: NOTICE OF APPEAL (in duplicate)

Current DUE DATE: December 3, 2001

(Submit Single Copy Only)

OIPE JC67
DEC 03 2001
PATENT & TRADEMARK OFFICE

PILLSBURY WINTHROP LLP

1600 TYSONS BOULEVARD MCLEAN, VA 22102 703.905.2000 F 703.905.2500

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Date	March 28, 2002	Must Be Sent By	asap
From	Paul L. Sharer	Phone No	(703) 905-2180
Total Pages (including cover)	11 User No 13291	C/M No:	041301/0270584
To:	Exmr Gail Gabel	Phone No	(703) 305-0807
Company:	GAU 1641, USPTO	Fax No	(703) 305-3014

Comments

RE: U.S. Serial No. 09/554,956 to Badley et al.

Dear Examiner Gabel:

As requested, faxed herewith is our copy of the response filed on December 3, 2001 along with the date-stamped receipt.

Please do not hesitate to contact us should you have any questions.

Best regards,

Paul L. Sharer

Confidentiality Note
The documents accompanying this facsimile transmission may contain confidential information which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, or the person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error,

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